



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

September 6, 2024

In the Matter of
Salvatore and Nancy Vigorito

OADR Docket No. WET-2023-010
DEP File No. 028-2859
Princeton, MA

FINAL DECISION ON RECONSIDERATION

In accordance with her authority under the Adjudicatory Proceeding Rules at 310 CMR 1.01(14)(b), Bonnie Heiple, Commissioner of the Massachusetts Department of Environmental Protection (“MassDEP” or “the Department”), has designated me the Final Decision-Maker in this administrative appeal.¹

I adopt the Recommended Final Decision on Reconsideration of the Presiding Officer. Any party may appeal this Final Decision to the Superior Court pursuant to M.G.L. c. 30A, §14(1). The complaint must be filed in the Court within thirty days of receipt of this Final Decision.

Salvatore Giorlandino
Chief Presiding Officer

¹ 310 CMR 1.01(14)(b) provides in relevant part that “[e]very final decision” in an administrative appeal “shall be in writing and shall be signed by the [Department’s] Commissioner or a designee of the Commissioner.”

SERVICE LIST

Barbara Friedfertig
8 Point Road
Gloucester, MA 01930
bsfriedfertig@gmail.com

Petitioner

Joel Favazza, Esq.
Seaside Legal Solutions, P.C.
123 Main Street, Suite 301
Gloucester, MA 01930
jfavazza@seasidelegal.com

Petitioner's Representative

Salvatore and Nancy Vigorito
5 Stella Way
Stoneham, MA 02180
salvatorevigorito@gmail.com

Applicant

Richard Nylen, Jr., Esq.
Lynch, DeSimone & Nylen, LLP
10 Post Office Square, Suite 970N
Boston, MA 02109
rnylen@ldnllp.com

Applicant's Representative

Gloucester Conservation Commission
Chuck Schade, Conservation Agent
City Hall Annex – CATA Building
3 Pond Road, 2nd Floor
Gloucester, MA 01930
cschade@gloucester-ma.gov

Conservation Committee

Eric Worrall, Regional Director
Kristin Divris, Deputy Regional Director
MassDEP/NERO
150 Presidential Way
Woburn, MA 01801
Eric.Worrall@mass.gov
Kristin.Divris@mass.gov

Department

Jill Provencal, Wetlands Sections Chief
Kyle Lally, Environmental Analyst
MassDEP/NERO
Bureau of Water Resources
150 Presidential Way
Woburn, MA 01801
Jill.Provencal@mass.gov
Kyle.Lally@mass.gov

Department

Katherine Blakley, Counsel
MassDEP/Office of General Counsel One
100 Cambridge Street, 9th Floor
Boston, MA 02114
Katherine.Blakley@mass.gov

Department Legal Representative

CC: Heidi Zisch, Chief Regional Counsel
MassDEP NERO
205B Lowell Street
Wilmington, MA 01887
Heidi.Zisch@mass.gov

Department

Jakarta Childers, Program Coordinator
MassDEP/Office of General Counsel
100 Cambridge Street, 9th Floor
Boston, MA 02114
Jakarta.Childers@mass.gov

Department